

CLINTON COUNTY BOARD
May 15, 2006

The May meeting of the Clinton County Board was called to order by Sheriff Mike Kreke on Monday, May 15, 2006, at 7:00 p.m.

Roll call: Present - Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor.

The Pledge of Allegiance was recited. All visitors and guests introduced themselves

MOTION by Lampe second by Hitpas to approve the minutes of the previous meeting . **MOTION CARRIED.**

APPOINTMENTS:

MOTION by Lampe second by Jack Taylor to approve the appointment of Al Brueggemann as a Board of Review member for a two year term. **MOTION CARRIED.**

MOTION by Craig Taylor second by Jack Taylor to approve the appointment of Lavern Zurliene as Trustee of the Carlyle Southwest Public Water District for a five year term. **MOTION CARRIED.**

MOTION by Craig Taylor second by Lampe to approve the appointment of Brad Pingsterhaus as Commissioner of the Hanover Drainage & Levee District filling the vacancy created by the death of his father. **MOTION CARRIED.**

FIRST READINGS OF APPOINTMENTS:

Roger Hanke - Trustsee of Huey, Ferrin, Boulder Fire Protection District; Don Timmermann - Trustee of Santa Fe Fire Protection District; Tom Padfield - Trustee of Sugar Creek Fire Protection District; Michael Schumacher - Trustee of St. Rose Sanitary District; Jane Kehrer - Trustee New Memphis Lighting District; Ernest Fruend - Trustee Shattuc Lighting District; James Lampe - Trustee Aviston Fire Protection District; Paul Rehkemper - Trustee of St. Rose Lighting District.

County Clerk LaCaze presented the list of people to serve as Election Judges that was submitted to him by the Chairmen of the Republican and Democrat Central Committees. **MOTION** by Foppe second by Robbins to approve the Judge of Election list. **MOTION CARRIED.**

COUNTY FARM COMMITTEE - Craig Taylor reported additional fencing is being installed at the Animal Control facility as required by our Insurance Trust. An appraisal of the county farm was done and the committee recommends changing the purchase price to \$12,900.00 an acre. **MOTION** by Craig Taylor second by Brian Hitpas to increase the purchase price of property at the County Farm to \$12,900.00 an acre. **MOTION CARRIED.**

IL COUNTY INSURANCE TRUST - Foppe reported a meeting is scheduled for Wednesday, May

17, 2006, at 9:00 a.m.

INSURANCE COMMITTEE - John Raymond reported his Committee has not been able to get the high end prescription prices for cost of medicines yet. The figure will be available after prescriptions are filled and he should report it by the group's quarterly meeting. The Committee reviewed a letter submitted regarding the bids for the health insurance and found no evidence to change decision already in place. All employees should have received their health and prescription cards. Explanation of Benefits (EOB) forms from employees have been requested to show deductibles met so far for this year. There was a problem with the prescription cards with a couple of numbers missing, but it has been resolved.

UNINCORPORATED AREA IMPROVEMENT COMMITTEE - Robbins reported a meeting is scheduled for Thursday, May 18, 2006, at 6:00 p.m. in Board room. There will be a Public Hearing in New Memphis on the June 6, 2006.

SAFETY COMMITTEE - no report.

EDUCATION COMMITTEE - Guthrie reported a meeting is scheduled for July 6, 2006, at 4:45 p.m. in the Regional Office of Education.

708 MENTAL HEALTH BOARD - Foppe reported the Board met in May and reviewed half of the grant applications that have been submitted. The Board will meet again on June 6, 2006, at 7:00 p.m. to review the other half. Foppe said he will not be able to attend the Public Hearing at New Memphis because of a conflict of meeting dates and asked that members who represent that District attend as it is an important hearing.

GIS COMMITTEE - Beckmann reported Map Research has delivered five of our townships on parcel matching and the rest should be completed within six months. The Committee's next meeting will be on May 22, 2006, at 5:00 p.m..

RC&D COUNCIL - Lampe said there is a meeting tomorrow night in Mascoutah.

TOURISM COMMITTEE - Holtgrave reported the next meeting is scheduled for May 17, 2006. He also has a letter of commitment to Southwestern IL Tourism Bureau for \$16,500.00 from the Hotel/Motel Tax Fund, the same amount as last year. The amount is for FY2007 and payment does not need to be made until December of this year. **MOTION** by Holtgrave second by Foppe to approve the commitment for \$16,500.00 for FY2007 to Southwestern IL Tourism Bureau. **MOTION CARRIED.**

SOLID WASTE COMMITTEE - Holtgrave said the committee will have a meeting May 30, 2006.

911 COMMITTEE - Fix reported at their meeting last week it was decided to purchase approximately 260 pagers and they are getting proposals from vendors. His committee is working on intergovernmental agreements with cities regarding new street names and house numbering. The committee is also working with GIS on this. Before subdivision plats are

approved, 911 would check them to see if there is a conflict with street names.

PERSONNEL/LABOR COMMITTEE - Hitpas reported a meeting was held to review the Highway Department's proposal and have set up dates for negotiations. He asked that Jack Taylor, Finance Committee Chairman, attend these negotiation meetings. The first meeting date will be May 17, 2006.

VETERAN MEMORIAL COMMITTEE - Lampe said the dedication ceremony of the POW plaque at the Court House went very well.

ZONING/SUBDIVISION COMMITTEE -

MOTION by Craig Taylor second by Robbins to approve Ordinance #05-06-01 Map Amendment from Agriculture (A) to Agricultural Residential (AR) for 10 acres owned by Gary Siddell in East Fork Township by roll call vote: Yes - Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. **MOTION CARRIED.**

MOTION by Craig Taylor second by Raymond to approve Ordinance #05-06-02 Map Amendment from Agriculture (A) to Agricultural Residential (AR) for 10 acres submitted by Rick and Michelle Schulte in Carlyle Township. Motion for the previous roll. Yes: Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. **MOTION CARRIED.**

LAW ENFORCEMENT/ESDA - Pingsterhaus reported all bills were in order.

County Clerk LaCaze asked Hitpas the status of employee Holly Leonard. Hitpas said she is part of the bargaining unit. Clerk LaCaze informed him nothing has been received on it yet. Hitpas said some signatures are missing, but she is part of the bargaining unit.

ECONOMIC DEVELOPMENT COMMITTEE - Sullivan reported a meeting is scheduled for June 13, 2006 at 7:00 p.m. and he asked all board members to attend. The meeting concerns the Route 50 bypass. CIGGA will be meeting this Wednesday and SWIIDA will meet on Thursday.

ROAD & BRIDGE COMMITTEE:

Engineer Mitchell reported IL Department of Transportation has determined that seven additional days, for a total of fourteen, are needed for the closure of Route 50 during the bridge repair project on Shoal Creek. **MOTION** by Raymond second by Pingsterhaus to approve IDOT's request to close Route 50 for fourteen days and detour traffic to CH#14 St. Rose Road & CH#13 Stollertown Road as alternate routes for the fourteen day period. **MOTION CARRIED.**

The IL Department of Transportation had the bid opening for a bridge on the Washington County line. The low bidder was DePew & Owen of Centralia. Mitchell informed the Board that this is by far the most expensive bridge the county has ever built. IL Department of

Transportation will award the bid within the next few weeks and construction will begin as soon as possible.

Mitchell reported the bridge on CH#5 Shattuc Road should be completed by June 1, 2006. He presented a listing of the bridge projects to be built this year and a listing of all bridges that have been build since 1977.

The next meeting of the Road and Bridge Committee will be June 14, 2006.

Engineer Mitchell reported Dan Behrens has been notified that he passed the test in Springfield qualifying him for position of County Engineer.

FINANCE/HEALTH SERVICES -

Jack Taylor reported Southern IL Bus Company, which has a Revolving Loan Fund (RLF) with the County, has requested an additional loan of \$25,000 from the City of Breese with whom they have an existing loan. They are requesting the County subordinate to the new bank loan and the City of Breese will have a "third" collateral position behind the County. **MOTION** by Jack Taylor second by Holtgrave to approve the request because it does not affect the collateral position or collateral amount of Clinton County. **MOTION CARRIED.**

The Finance Committee is suggesting a pay increase of an additional \$30.00 a day for Election Judges and Township Supervisors. The States Attorney will draw up a resolution for passage at next month's meeting.

Board member Sullivan has been working on getting a question on the ballot for funding Senior Citizens Centers. The proposed resolution would levy a tax to provide social services for senior citizens. **MOTION** by Sullivan second by Jack Taylor to bring it up to the full board at the June meeting. **MOTION CARRIED.**

MOTION by Craig Taylor second by Robbins to approve the Monthly Budget and Financial Report of the Treasurer's Office. **MOTION CARRIED.**

Treasurer Mueller reported 1,372 Mobile Home tax bills have been mailed and will be due July 12, 2006.

MOTION by Robbins second by Murray to approve the Monthly Report of the Health Department. **MOTION CARRIED.**

FACILITIES COMMITTEE -

Craig Taylor reported the storage room at the Annex has been cleaned out. His committee met with Coroner David Moss, ESDA Director Richard Crocker, Mike McMillan, Health Department Administrator and the architect who is designing the interior of the building. Once the design stage is completed it will be available for review.

GENERAL SERVICES/JUDICIARY COMMITTEE -

Craig Taylor asked Board members to review an "Agreement for Professional Services between Justice Benefits, Inc. and Clinton County". JBI would do all the paperwork, training, etc., in applying for federal funds to help with juvenile cases in the Probation Office. There is no cost to the county because JBI would get their fees from monies generated from this Title IV-E Juvenile Maintenance

LIQUOR COMMITTEE -

Holtgrave reported Cindy Fuehne of the Clinton County Tavern Association thanked the Board for their action on the Clean Air Act.

ENVIRONMENTAL CONCERNS COMMITTEE -

Beckmann reported there will be meeting on Thursday, May 18, 2006 at 5:00 p.m.

MOTION by Craig Taylor second by Fix to approve payment of the Accounts Payable Claims.
MOTION CARRIED.

MOTION by Hitpas second by Jack Taylor to go into executive session. Roll call: Yes - Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. **MOTION CARRIED.** States Attorney Bergmann announced the purpose of the Executive session is to advise the County on the Stern case. After the executive session the public hearing issue will be discussed.

The Board went into Executive session.

The Board came back in regular session. There will be a hearing on the Notice of Objection and request for a Map Change by Richard M. Stern which was Case #4 from the May 2005 Zoning Board meeting.

Jay Dowling, Attorney for Richard Stern objected to the hearing. He stated it was not properly placed on the agenda. There is no court order stating that a hearing needs to be held, and there are no provisions in the County Zoning Code for a second hearing. States Attorney Bergmann asked Mr. Dowling to be seated.

Peggy Thole addressed the board on behalf of her brothers and herself. She presented a map that established their property borders 23.87% of the perimeter of Richard Stern's property. She felt she has stated her case and wants it noted that the numerical summation of the property is on record. The documents presented by Ms Thole were marked as exhibits so they can be entered into the record.

Mr. Dowling stated his objection that the hearing process is unconstitutional. It is in violation of his rights. He said there is no court order for a public hearing, and nothing provides for a second hearing. There is nothing in the records stating that 20% of frontage is owned by the Meyers and Thole. There is no evidence of the property being frontage. He asks that the zoning map amendment stand.

States Attorney Bergmann requested Chairman Kloeckner ask for a vote as to whether the protestors

have shown that they are 20% of the owners of the perimeter of the land owned by Richard Stern. **MOTION** by Fix second by Hitpas the protestors have shown they own more than the 20% required. **MOTION CARRIED.**

At this point Bergmann recommends a vote again on the amendment, and a 75% majority is needed. **MOTION** by Sullivan second by Mark Beckmann to approve the original recommendation of the Zoning Board of Appeals. **MOTION** by Robbins second by Jack Taylor to have a roll call vote. **MOTION CARRIED.** Roll call: Yes - Beckmann, Holtgrave, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor. Voting no- Fix, Foppe, Guthrie, Hitpas and Lampe. **MOTION CARRIED.**

MOTION by Robbins second by Craig Taylor to adjourn the meeting. **MOTION CARRIED.**

Attest:

Ray Kloeckner
Board Chairman

Clinton County Clerk and Recorder

ORDINANCE # 05-06-01

BE IT ORDAINED BY THE COUNTY OF CLINTON, ILLINOIS, AS FOLLOWS:

Pursuant to Article 40-3-2 of the Clinton County Zoning Code, as amended, the following described real estate shall be re-zoned from Agriculture (A) to Agricultural Residential (A-R);

Case No. 05-03-06-03 Property location: East Fork Township

Request for a Map Amendment (40-9-30) submitted by: Gary Siddell, 22303 U.S. Highway 50, Huey, Illinois 62252 to re-zone from Agricultural (A) to Agricultural/Residential (A-R).

Legal Description: A Part of the West Half of the Southeast Quarter of Section 17, Township 3 North, Range 1 West, of the Third Principal Meridian being more particularly described as follows: Beginning at the Southwest Corner of the Southeast Quarter of said Section 17, thence North along the West line of said Southeast Quarter of Section 17, a distance of 972 feet to the South line of fa 2 acre tract previously conveyed to; thence East parallel with the South line of said Southeast of Section 17, a distance of 448.15 feet; thence South parallel with the West line of said Southeast Quarter of Section 17, a distance of 972.00 feet; thence West along the South line of said Southeast Quarter of Section 17, a distance of f448.15 feet to the Point of Beginning. Said tract containing 10 acres more or less.

Property is owned by Gary W.. Siddell.

ADOPTED, ORDAINED AND APPROVED by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois, this 15th day of May, 2006.

Roll call: Yes - Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor.

APPROVED by the Corporate Authorities of the County of Clinton, Illinois, this 15th day of May, 2006.

ATTEST:

S/ Thomas LaCaze
County Clerk

S/ Ray Kloeckner
Board Chairman

ORDINANCE #05-06-02

BE IT ORDAINED BY THE COUNTY OF CLINTON, ILLINOIS, AS FOLLOWS:

Pursuant to Article 40-3-2 of the Clinton County Zoning Code, as amended, the following described real estate shall be re-zoned from Agriculture (A) to Agricultural Residential (A-R):

Case No. 05-03-06-03 Property location: Carlyle Township

Request for a Map Amendment (40-9-30) submitted by Rick and Michele Schulte, 590 Old Rte 50, P. O. Box 273, Beckemeyer, Illinois 62219 to re-zone from Agriculture (A) to Agricultural Residential (A-R).

Legal Description: See Record for the 10 acres in Section 6, T2N, R2W of 3rd Principal Meridian.

Property owned by: Rick and Michele Schulte - 2.13 acres, Robert and Martha Diekemper - 4.90 acres and Dennis and Jane Buchele - 2.97 acres.

ADOPTED, ORDAINED AND APPROVED by a voice/roll call vote of the Corporate Authorities of the County of Clinton, Illinois, this 15day of May, 2006.

Roll call: Yes - Beckmann, Fix, Foppe, Guthrie, Hitpas, Holtgrave, Lampe, Murray, Pingsterhaus, Raymond, Robbins, Sullivan, Craig Taylor and Jack Taylor.

APPROVED by the Corporate Authorities of the County of Clinton, Illinois, this 15day of May, 2006.

ATTEST:

S/ Thoms LaCaze
County Clerk

S/ Ray Kloeckner
Board Chairman